

ASSEMBLY BILL

No. 1457

Introduced by Assembly Member Davis

February 27, 2009

An act to amend Section 1599.64 of the Health and Safety Code, relating to long-term health care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1457, as introduced, Davis. Long-term health care facilities: admission contracts.

Existing law requires specified information to be included on the admission contract or abbreviated admission contract when a patient is admitted to a long-term health care facility.

This bill would add the requirement that the abbreviated contracts of admission and contracts of admission include, for entities that own 5 or more long-term health care or similar facilities nationwide, the name of the owner and the name and contact information of a single entity that is fully accountable for all aspects of patient care and operation at the facility.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1599.64 of the Health and Safety Code
- 2 is amended to read:
- 3 1599.64. (a) All abbreviated contracts of admission and
- 4 contracts of admission shall be printed in black type of not less

1 than 10-point type size, on plain white paper. The print shall appear
2 on one side of the paper only.

3 (b) The contract shall be written in clear, coherent, and
4 unambiguous language, using words with common and everyday
5 meanings. It shall be appropriately divided, and each section
6 captioned.

7 *(c) If the owner of the facility owns five or more long-term health*
8 *care facilities or similar facilities nationwide, the abbreviated*
9 *contracts of admission and contracts of admission shall disclose*
10 *the name of the owner and the name and contact information of a*
11 *single entity that is fully accountable for all aspects of patient care*
12 *and operation at the facility.*

13 ~~(e)~~

14 (d) An abbreviated contract of admission shall include a
15 statement indicating that respite care services, as defined in Section
16 1418.1, provided by the skilled nursing facility or intermediate
17 care facility is not a Medi-Cal covered service and can only be
18 provided by the facility on a private-pay or third-party payor basis,
19 unless the person is participating in a Medicaid waiver program
20 pursuant to Section 1396n of Title 42 of the United States Code,
21 or other respite care service already covered by the Medi-Cal
22 program.

23 ~~(d)~~

24 (e) An abbreviated contract of admission shall specify the
25 discharge date agreed to upon admission by the skilled nursing
26 facility or intermediate care facility and the person being admitted
27 or his or her representative. This discharge date shall be binding
28 as a ground for discharge in addition to any other ground for
29 discharge pursuant to federal or state law and regulations.

30 ~~(e)~~

31 (f) An abbreviated contract of admission shall include a
32 statement informing the person being admitted for respite care
33 services that the contract is designed specifically for the provision
34 of respite care services and cannot be used for any other type of
35 admission to the facility.